

THE HONORABLE RONALD B. LEIGHTON

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

OFF-IT, INC., a Washington State corporation; and
LAYNE E. HUBER, in his individual capacity,

Plaintiffs,

vs.

THURSTON COUNTY, a municipal corporation,
and the CITY OF LACEY, a municipal corporation,

Defendants.

No.: 12-05701-RBL

ORDER GRANTING DEFENDANT
THURSTON COUNTY'S MOTION FOR
SUMMARY JUDGMENT

This matter came before the Court on Defendant Thurston County's motion for summary judgment requesting the Court to find that the Plaintiffs have failed to establish that there are genuine issues of material fact and that Plaintiffs' claims have no basis in law.

The Court considered the pleadings filed in this action and the following documents:

1. Defendant Thurston County's Motion for Summary Judgment;
2. Memorandum in Support of Defendant Thurston County's Motion for Summary Judgment;
3. Declaration of David Klumpp in Support of Defendant Thurston County's Motion for Summary Judgment;
4. Plaintiffs' Response to Thurston County's Motion for Summary Judgment and accompanying Declarations, if any;
5. Thurston County's Reply to Plaintiffs' Response;

Based on the evidence presented, the Court finds that Plaintiffs have failed to establish any genuine issues of material fact and Defendant Thurston County is entitled to dismissal of the claims against them as a matter of law.

ORDER GRANTING DEFENDANT THURSTON COUNTY'S
MOTION FOR SUMMARY JUDGMENT - 1
USDC No. 12-05701-RBL

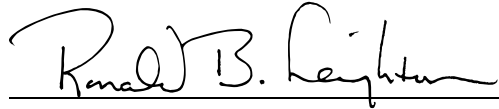
H:\ORDERS\Off It Thurston County Order on SJ.docx

JON TUNHEIM
Thurston County Prosecuting Attorney
Civil Division - Bldg. No. 5
2000 Lakeridge Dr., SW
Olympia, WA 98502
360/786-5574 FAX 360/709-3006

1 IT IS HEREBY ORDERED:

2 Defendant Thurston County's motion for summary judgment is granted and Plaintiffs' claims
3 are hereby dismissed with prejudice.

4 DATED this 24th day of April, 2013.

5
6 

7
8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
10
11

12 Presented by:

13 JON TUNHEIM
14 PROSECUTING ATTORNEY

15 */s/ David Klumpp*

16 DAVID KLUMPP, WSBA #10910
17 Chief Civil Deputy
18 Attorney for Thurston County
19
20
21
22
23
24
25